

PX 296

Declaration of Theodore W. Robinson

I, Theodore W. Robinson, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true:

1. I am an attorney duly licensed to practice in the State of New York. I have been a practicing criminal defense trial attorney in Nassau County, New York, since 1974.
2. I defended John Restivo against charges related to the 1984 rape and murder of Theresa Fusco. I represented Mr. Restivo from the time he first became a suspect in March of 1985, through his indictment later that year, and his 1986 trial and conviction. I continued to represent Mr. Restivo in post-conviction proceedings into 2001 and thereafter. I also represented Mr. Restivo's co-defendant, Dennis Halstead, in connection with these charges in 1985 before he retained Joseph Famighetti.
3. I have always believed that John Restivo was innocent of the Fusco rape and murder.
4. I first received a telephone call from John Restivo regarding the Fusco case on the evening of March 6, 1985. Prior to that time, my father, Phillip F. Robinson (who was also my law partner) and I had represented members of the Restivo family on a variety of relatively minor legal matters, including real estate transactions.
5. On the evening of March 6, 1985, John Restivo told me that he had just been released from custody after having been detained overnight at the police station and interrogated about Ms. Fusco's disappearance and murder, and asked to set up a time to see me. We made an appointment for the following day, March 7.
6. At that meeting I debriefed him on the police interrogation. Mr. Restivo informed me that he had been interrogated for approximately twenty-four hours by Nassau County Police Department Detectives Robert Dempsey, Joseph Volpe and Jack Sharkey. He further informed me that he was physically assaulted by the detectives interviewing him and showed me contusions on his face and neck that he said he had received at the hands of the police, which I photographed. (Black and white copies of the color photographs I took are attached to this declaration as Exhibit A.) Mr. Restivo also told me he had not been allowed to make a phone call to his wife, family or attorney, and been told that he would not be permitted to leave police headquarters until he gave a statement regarding the Fusco murder.
7. After speaking to Mr. Restivo, I called the NCPD Homicide Squad to enter appearances for both John Restivo and Dennis Halstead and to complain about this mistreatment. I asked for Detective Dempsey; Detective Dempsey then came to the phone and identified himself and asked who was calling. When I said my name and told him I was the attorney for John Restivo and Dennis Halstead, Detective Dempsey loudly and abruptly informed me he did not know who I was and did not wish to talk to me and hung up on me. I called the Homicide Squad back and asked to speak to the Lieutenant in charge. Lieutenant Spillane identified himself and I



again informed him that I represented both John Restivo and Dennis Halstead. Lieutenant Spillane immediately became abusive and surly, and I was forced to terminate the phone call without formally noting my appearance.

8. As a result of the abusive behavior by both Detective Dempsey and Lieutenant Spillane, I was unable to follow the normal procedure of notifying the NCPD of an attorney/client relationship via telephone. Instead, I had to send an associate to Police Headquarters to deliver notices of appearance for both John Restivo and Dennis Halstead. (Copies of these notices are attached as Exhibit B). It was my belief that both Dempsey and Spillane purposely contrived to prevent me from notifying them of the attorney/client relationship in the customary manner (that is, by telephone) in an attempt to delay formal notice of an attorney appearance for Mr. Restivo and Mr. Halstead.
9. Beginning in March, 1985, I repeatedly wrote to authorities including Nassau County Police Commissioner Samuel Rozzi to complain that NCPD Homicide Detectives in the Fusco murder investigation were engaged in a pattern and practice of abusive tactics, including not only the misconduct detailed above, but also additional harassment of John Restivo and Dennis Halstead, and harassment of "potential witnesses," including threats of violence, prolonged detention without being permitted a phone call, and coercing statements from these "potential witnesses." (Copies of several of the letters I sent are attached as Exhibit C.) To my knowledge, no real investigation of these allegations ever took place. Although I repeatedly volunteered to cooperate with any investigation into the NCPD Homicide Squad's abusive tactics and to make Mr. Restivo and Mr. Halstead available for this purpose, neither I, nor, to my knowledge, Mr. Restivo or Mr. Halstead, were ever contacted as part of any investigation into these allegations of misconduct.
10. I recall that during Mr. Restivo's cross-examination at trial, he was asked about telephone records reflecting a call from his residence to my law office on December 6, 1984—the day after Ms. Fusco's body was found, and three months before he was first interrogated by the police as a suspect in March 1985. I was positive at the time of trial, and am positive today, that the telephone call on December 6, 1984 had nothing to do with the Fusco case. The first time that Mr. Restivo ever consulted me regarding the Fusco case was on March 6, 1985, the day after his release from custody. Indeed, I do not remember consulting with John Restivo on any matter at all in December 1984. Based on the date of the December 6 phone records, the call was likely from either Mr. Restivo or his common-law wife, Joann Egington, to my father and law partner, Phillip Robinson, who had handled the purchase of their new house in Wantagh in the fall/winter of 1984. Although the closing occurred in early November 1984, I recall that a kitchen stove at the house had malfunctioned, and that John and Joanne had contacted my father sometime in December to see if they had any recourse against the former owners for the defect. I also recall that there were some outstanding issues involving funds placed in escrow which were not resolved until several weeks after the closing.

11. On or about March 26, 1985, I heard news reports that John Kogut had given a videotaped confession to the rape and murder of Ms. Fusco and implicated John Restivo and Dennis Halstead. The following day, Mr. Restivo came to my office to discuss these allegations, and also informed me that his van had been confiscated by the police. I instructed him to try and determine his whereabouts on the night in question (November 10, 1984) and to see if he had any witnesses or documentation by way of support.
12. In subsequent consultations in my office over the following week, Mr. Restivo informed me that he and his family had looked through their documents and had been able to determine his whereabouts on the night in question (November 10, 1984). Specifically, he told me that he had been sanding floors at the Wantagh house that day and evening, and that he had receipts to document the rental of certain tools they had used for the job. In one of our consultations, he showed me one such receipt for a floor sander from Prez Tools, Inc., that had a handwritten date of November 11, 1984. Mr. Restivo told me that he was positive he had rented the tool on Saturday, November 10, but that the store proprietor must have written the wrong date on the receipt. Believing that this receipt could provide important corroboration for the chain of events that comprised his alibi on November 10, I instructed Mr. Restivo to immediately return to the tool rental store with the receipt, and see if the proprietor had any records that could corroborate the correct (Nov. 10th) date. Subsequently, Mr. Restivo did so. When he returned from the store and informed me that the proprietor had confirmed that the rental was on November 10 and was willing to change the date on the receipt to reflect the correction. He also informed me that, according to the store's proprietor, the store was closed on Sundays and thus he knew the rental could not have been on November 11, as that day was a Sunday. Accordingly, I decided to send our investigator (Rick Arden) with Mr. Restivo to take a statement from the store owner, which he did in early May. The statement of Mr. Leo Klein taken by Mr. Arden and dated May 2, 1985, was prepared at my direction. (Copies of contemporaneous notes I took noting some conversations with John Restivo on this subject and my subsequent instruction to Rick Arden to obtain a statement from Mr. Klein are attached as Exhibit D.)
13. While I do not recall the exact date of the consultation on which Mr. Restivo showed me this receipt and I gave him this instruction, my best recollection is it was within a week or two after the date that Mr. Restivo's van was impounded on March 26th. I am sure that when I saw the receipt for the first time, it had the incorrect date written on it; that the first time Mr. Restivo showed me the receipt was in late March or early April, 1985; and that I was the person who gave Mr. Restivo the instruction to go talk to the tool shop proprietor about making this correction. Had I not been Mr. Restivo's attorney during his 1986 trial, I would have been able and willing to so testify, in order to squarely rebut the People's contention that Mr. Restivo went to the tool shop to correct the receipt in December 1984, long before he was a suspect. Having given Mr. Restivo that instruction myself in the spring of 1985, I knew then, and know now, that the People's contention was absolutely false.

14. Consistent with my belief that Mr. Restivo, Mr. Halstead and Mr. Kogut were all innocent, my theory at trial was that an unknown third party had committed the crime. Specifically, in my closing argument I posited that, based on the pattern of strewn jewelry found near the crime scene, the most likely scenario was that Ms. Fusco had been walking down Rocklyn Avenue, and as she went under the railroad underpass, someone grabbed her and dragged her, struggling, down the alleyway to where her body was found. This was inconsistent with the prosecution's theory that Mr. Restivo, Mr. Halstead and Mr. Kogut had raped and killed Theresa Fusco in Mr. Restivo's van and had only brought her to the side of the railroad tracks after she was already dead.

15. During my time representing John Restivo, I never saw any of the documents attached hereto as Exhibit E, either as *Brady/Rosario* material produced by the prosecution or from any other source. I was never made aware of the information in these documents, including that:

- a. A man named John French reported his car stolen from the area of Lakeview Avenue and Ocean Avenue in Lynbrook, approximately one mile from where Theresa Fusco's body was later found, between 9:30 and 11:05 p.m. on November 10, 1984, the night Theresa Fusco went missing;
- b. A woman named Debra Smith reported seeing a possibly tan car parked underneath the railroad underpass at Rocklyn Avenue late at night around the time of Theresa Fusco's disappearance and that at the same time she had heard a woman scream from off in the direction where Theresa Fusco's body was later found;
- c. On November 18, 1984, John French found his car parked several miles away on Woodfield Road in Lakeview; since it had been stolen the license plates had been switched, the windshield had been broken, and rope and tools were missing from the car; Mr. French then drove the car to the Lynbrook Police Department;
- d. Debra Smith was asked by Detective Volpe to view John French's car and was 90% certain that it was the one she had seen parked on Rocklyn Avenue under the railroad overpass; she recognized the broken windshield and AAA sticker on the rear bumper and her only reservation was French's car was missing the tools, dark colored blanket and rope she had seen on the back seat of the car on Rocklyn Avenue;
- e. When John French found his car on November 18, 1984, his sister Lori reportedly found a pair of woman's jeans with stripes (the same type of pants Theresa Fusco had been wearing when she disappeared according to the "missing" poster publicized at the time she disappeared, which is attached as Exhibit F) inside-out in the car; these jeans were given to the Lynbrook police with John French's car, but the Lynbrook police subsequently threw them away.

16. I am certain I never knew this information. I worked many hours on John Restivo's defense and was very familiar with the documents I had been provided by Nassau County. I would have used this information at trial in support of my argument that an unknown assailant had abducted Theresa Fusco as she walked on Rocklyn Avenue under the railroad underpass and dragged her, struggling, to the location where she was raped and killed. I would have pursued investigation of these leads. I also would have raised this information in my post-conviction efforts to seek a reinvestigation into this crime, based on my unwavering belief in Mr. Restivo's innocence. There is no doubt in my mind that I never had this exculpatory information before it was shown to me in 2010 during this civil rights lawsuit.
17. I recall that one of the witnesses who testified against Mr. Halstead and Mr. Restivo at trial was Brian O'Hanlon, who claimed that Dennis Halstead had called him from the Nassau County jail and confessed to him that Dennis Halstead, John Restivo and John Kogut had abducted Theresa Fusco in John Restivo's van, raped her and murdered her. Mr. O'Hanlon was a drug addict who was receiving a deal from the prosecution in exchange for his testimony; both I and Mr. Halstead's attorney, Mr. Famighetti, sought to impeach the credibility of his testimony at trial. During cross-examination, I brought out some inconsistencies between a prior statement Brian O'Hanlon had made to the police and his trial testimony, and argued that he was pressured by the police to give the statement implicating Dennis Halstead and John Restivo.
18. During my time representing John Restivo, I never saw the prior statements of Brian O'Hanlon attached hereto as Exhibit G, either as *Brady/Rosario* material produced by the prosecution or from any other source. I was never made aware that in his initial statements to the police, Brian O'Hanlon described the phone calls he had received from Dennis Halstead at the Nassau County jail without describing any confession to the Fusco rape/murder, or that Brian O'Hanlon had admitted to the police that Dennis Halstead had told him his house was bugged and his phones were tapped (something that O'Hanlon specifically denied when asked about it on cross-examination). If I had had this prior statement, I would have used it to impeach Brian O'Hanlon at trial.
19. Even after his conviction, my belief in Mr. Restivo's innocence was not shaken. Although he did not have any money to pay me then, I worked on Mr. Restivo's behalf through 2001 and thereafter, including representing him on appeal and in post-conviction proceedings and arranging for early rounds of DNA testing. My hard work and consistent belief in Mr. Restivo's innocence was finally vindicated first in 2003, when his conviction was vacated based on DNA testing exonerating him, and later in 2005, when the indictment against him was finally dismissed.

I hereby declare under penalty of perjury that the foregoing is true, this 25th day of April, 2011.

Hempstead, New York

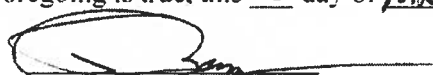

Theodore W. Robinson, Esq.

Exhibit A

ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



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ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



ROBINSON'S RESTIVO PHOTOS



REUTERS & NEWSPHOTOS

Exhibit B

103 M-686 *Guaranty Note of Appearance*
DISTRICT COURT OF NASSAU COUNTY
FIRST DISTRICT. ARRAIGNMENT PART

THE PEOPLE OF THE STATE OF NEW YORK

vs.

DENNIS HALSTEAD

Re: Investigation

TO THE CLERK:

SIR:

You are hereby notified that I, THEODORE W. ROBINSON

(Please type or print name)

appear for DENNIS HALSTEAD, the defendant in the above-

entitled action.

Dated the 7th day of

APRIL MARCH 1985

(Signature)

Theodore W. Robinson
Attorney for Defendant

175 West Old Country Road

Address

Hicksville, New York 11801

516-681-5151

Telephone No.

DC 103 M-484

General Notice of Appearance

DISTRICT COURT OF NASSAU COUNTY

FIRST DISTRICT. ARRAIGNMENT PART

THE PEOPLE OF THE STATE OF NEW YORK

vs.

JOHN RESTIVO

Re: Investigation

TO THE CLERK:

SIR:

You are hereby notified that I, THEODORE W. ROBINSON

(Please type or print name)

appear for JOHN RESTIVO, the defendant in the above-entitled action.

Dated the 7th day of MARCH

1988

(Signature) [Signature]

Attorney for Defendant

175 West Old Country Road

Address

Hicksville, New York 11801

516-681-5151

Telephone No.

Exhibit C

ROBINSON & ROBINSON

ATTORNEYS AT LAW
178 WEST OLD COUNTRY ROAD
HICKSVILLE, N.Y. 11801

516 581-5151

PHILLIP F. ROBINSON
THEODORE W. ROBINSON
PAUL C. AHRENS

UPSTATE OFFICE
P.O. BOX 181 - R.D.#1
CAMBRIDGE, N.Y. 12816
516 677-8543

March 19, 1985

Commissioner of Police
Police Headquarters
1490 Franklin Avenue
Mineola, NY 11501

Dear Sir:

Please be advised that on March 7, 1985 I experienced an unfortunate incident with members of your Homicide Detective Squad, particularly Detective Dempsey and Lieutenant Spillane.

Upon receiving a concerned telephone call from a client, John Restivo, who had informed me that he was interrogated for approximately twenty-four hours by Detective Dempsey and two other Detectives, Volpe and Sharkey on Tuesday evening, March 5, 1985 until Wednesday evening, March 6, 1985, I immediately telephoned the Homicide Squad and asked for Detective Dempsey.

When Detective Dempsey came to the phone he identified himself and asked who was calling. I identified myself by my name and informed him that I was the attorney for John Restivo and Dennis Halstead. Within moments, Detective Dempsey loudly and abruptly informed me that he did not know who I was, did not wish to talk to me and hung up on me.

I again called the Homicide Squad and requested to speak to the Lieutenant in charge. Lieutenant Spillane then identified himself and I again informed him that I represented both John Restivo and Dennis Halstead. Unfortunately, at this point Lieutenant Spillane immediately became abusive and surly, and I was forced to terminate the phone call shortly thereafter without formally noting my appearance. I was thereafter forced to send an associate to Police Headquarters to deliver two Notices of Appearance for the above-named individuals. This is an entirely unusual police procedure, is downright discourteous and appears to have been purposely contrived conduct to overcome the normal attorney/client relationship notification to the Police Department.

TR0001517

Commissioner of Police

Page 2

March 19, 1985

Moreover, my client maintains that he was physically assaulted by the detectives interviewing him and has been treated medically for a cervical sprain resulting from the detectives' physical abuse. Furthermore, my client maintains that he was unlawfully restrained in Police Headquarters by the detectives above-named without benefit of a phone call to his wife, family or attorney for a period of approximately twenty-four hours. He further informed me that he was told that he would not be permitted to leave the headquarters until he gave a statement regarding an alleged murder.

I hereby request that the above episode be investigated and reviewed by you or your representative and a determination made on the actions of these detectives and their lieutenant. I would appreciate it if you would direct a copy of any report on the outcome of your investigation to my office.

I further request that you direct your detectives to cease any further actions against my client, John Restivo, and in the event that they wish to further interview him any and all such interviews should be done in my presence.

Thank you for your anticipated courtesy and cooperation.

Very truly yours,

ROBINSON & ROBINSON

Theodore W. Robinson

TWR:elp

TR0001518

ROBINSON & ROBINSON

ATTORNEYS AT LAW
175 WEST OLD COUNTRY ROAD
HICKSVILLE, N.Y. 11801

516 681-5151

PHILLIP F. ROBINSON
THEODORE W. ROBINSON
PAUL C. AHRENS

UPSTATE OFFICE
P.O. BOX 181 • R.D.#1
CAMBRIDGE, N.Y. 12816
516 677-8843

March 27, 1985

Nassau County District
Attorney's Office
262 Old Country Road
Mineola, NY 11501

Attention: Martin Bracken, Esq.

Re: John Restivo

Dear Mr. Bracken:

Please be advised that this office represents John Restivo and has done so in the past. Mr. Restivo has recently informed me that on March 7, 1985, he was taken to the Nassau County Police Headquarters Homicide Bureau and questioned for approximately a twenty-four hour period without being given an opportunity to call his wife or attorney and inform them of his whereabouts. In addition, he informs me that he was brutally treated by the Detectives in the squad area, most notably Detective Dempsey, who choked him about the neck with his hands. I have both photographic and medical documentation of this occurrence and request your further review of this matter.

Please note that I have also informed the Police Commissioner of this incident and feel that there has been at least an Assault in the Third Degree perpetrated against my client. Additionally, when I attempted to note my appearance with Detective Dempsey two days later for both Mr. Restivo and a Mr. Dennis Halstead, apparently the target of an ongoing investigation, Detective Dempsey refused to acknowledge my call and promptly hung up on me. When I again called the Homicide Squad and asked for the Lieutenant in charge, I received an additional discourteous response from him.

I further request that you investigate this issue as being counter to the normal attorney/police work that must go on on a daily basis. Obviously, if the members of the Police Department are refusing to accept calls from attorney's noting their appearance, it is clearly violative of defendants' rights.

TR0001511

Martin Bracken, Esq.

Page 2

March 27, 1985

Would you kindly inform me of the outcome of your investigation and whether or not any charges will be brought against the alleged defendant/detectives. If you wish to interview my client, Mr. Restivo, please notify me and I will arrange to be available at our mutual convenience.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

ROBINSON & ROBINSON

Theodore W. Robinson

TWR:pr

TR0001512

Exhibit D

4/12/85 Restivo -
P/c from John -

Tool rental man says he's Chaedon Se
and he must have rented the tool on Sat.
for Klien - T.
872-0088 -

4/12/85 P/c w/ John

4/10/84 - He was w/ Michael Cockrell - got some
+ tools + rental place - worked at house -

1/18/88 Restivo -

11/2/88 office conf w/ John + his wife -

John R says he also rented another order
on the same day 11/10/84 at 12³⁰ AM and
returned on 11/12/84

The first rental operator will remark that he
picked up the order on 11/10/84 because although
the receipt says 11/11/84 - he's closed on Sunday

4/25/85 John Restivo -

1 1/2 hrs. offic conf w/ Mrs. Joe Restivo (mother) + Frank Meyer

Private Investigator

3) Need statement from Ted plane on date of cl
and receipts and any other info. about John

Exhibit E

SMITH, DEBBIE



HOMICIDE LEAD SHEET

LEAD RECEIVED: 12/9/84 0425

LEAD NO.

RECEIVED BY: J. Volpe

HOM. NO.

2222-84

(LEAD SOURCE)

NAME: Debbie Smith

HOME TEL:

ADDRESS:

BUS. TEL:

(NATURE OF LEAD)

Called and stated that between 4/17 & 11/20 she was driving over Sunrise at Rocklyn Rd (bet 2100-000, HKS) & heard a scream. When she got to RR tracks on Rocklyn there was a car parked with no one in it. Auto possibly TAN, 4 door older vehicle, large windows, had tools & dark colored blanket in auto.

RESULTS: (INDICATE DATE(S) AND MEMBER(S) INVESTIGATING)

12/9 - MS SMITH responding to Homicide to view auto stolen in Lynbrook 11/10/84. Imp. 396-84

Det Pierce & Lane present at L.S.B. with above. Debra viewed car after viewing stated that she remembers the Pyrex window shield the parking station in the windshield and the silver AAA station on rear bumper.

Stated she would only give as a 90% because when she looked inside the car there was a lot of darkness in the rear seat remembers a blanket thinks tools are gone.

Said she viewed car between 11:00 p.m. to 1 A.M. because she remembers no traffic on Sunrise Highway there were no trains on Rail Road overpass.

CARD FILE PREPARED ☐

(OVER)

024707

DET VOLPE

"28 YRS"

0422 — Debbie Smith [REDACTED] REPORTS A FEW WEEKS
 AGO SHE WAS AT SUNRISE / ROCKLYN INTERCHANGE,
 SHE HEARD A GIRL SCREAM. WHEN THE LIGHT CHANGED
 SHE OBSERVED A VEHICLE PARKED ON E/S OF
 ROCKLYN AVE AT LIRR OVERPASS, 16 OCCUPANTS
 VEH DESCRIPTION — 1970-75 GRAY OR BLUE, WITH
 LARGE WINDOWS. ~~NO ONE IN IT~~ ~~NO ONE IN IT~~
 IN IT. TIME APPROX 2:00-2:100 HRS.

→ (NOV. 14-28) Ber. 17420

→ NOV (● 14-20) (BET 9:00 & 0100)

NORTH ON ROCKLYN —

— POSS VAN —

4 DOOR CAR SEAN
 full size

Residence

— window open —

→ [REDACTED]
 [REDACTED]

MISSION TECH CENTER
 15 STEAR PLACE
 NEW SPARTAN

Day Time — 271-9600 EXT 220

Computer Room

Evenings — ^{comes home} MON & WED 2000

TRADISMAN — equipment in car
 tools blanket & Vank —



Dec 9, 1984
Hon 8222-89

Statement of Debra L. Smith

My name is Debra L. Smith. I am 28 years old, I was born [REDACTED]. I live at [REDACTED].

My home phone number is [REDACTED]. I work at American Tropical Ceramics at 15 Steeles Pl. Huntington Station, NY. phone 271-9600 ext 230, as a computer program analyst. I live at home with my parents and brothers and sister.

I have been told by the Detective who is writing this statement that any false statements I make herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York.

I wish to state last month, I believe between November 17 and the 20 I had gone to my friend James Pearson's house at [REDACTED].

[REDACTED] for the evening. We had an argument and I left his house to go home. I started driving on Atlantic Ave to Central Ave as I got to that corner I saw that the Rail Road gates were down for a train that was going towards Long Beach. I decided to take Bocklyn Street up to Merrick Rd and Ocean Ave where I got

Det. [Signature] Name Debra L. Smith

2544

NC002544

go to Peninsula Blvd and home.
 I drove north on Rocklyn Ave to Sunrise
 Highway the traffic light was red and I
 stopped for the light. I had my window
 partly open because I was smoking.
 While I was sitting at the light I heard
 a woman scream. I rolled my window
 down and listened but did not hear anything
 clear. The scream came from the left I
 and like it was up high I looked at
 the Rail Road elevated because that seemed
 to be the direction that the scream came from.
 The Traffic light changed and I drove across
 Sunrise Highway and under the Rail Road
 overpass I saw a large light to medium
 brown car of some color early 70's. it
 had large windows I looked inside and saw
 a lot of stuff in the back seat I think there
 were tools a blanket and other stuff
 in the back seat. During this time
 I got out of my car and looked around
 toward the Rail Road tunnel. I looked
 at the license plate I remember there were
 four numbers and three letters and on shiny

Det. George [Signature] Name Debra L. Smith

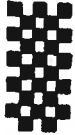
stickers on the left side of the ^{Rear} bumper.
I also remember that the car had a broken
windshield and a tinted in the left front
window on the dark board.

Today I received a phone call from Det
Joseph Valpe who asked me to come to
Police Headquarters and view a car that
they have there. I went with Police
Officers Lane and Det Pierce who
showed me a 1971 Oldsmobile Delta
88 and I have looked at the car. I feel
that this is the car I saw that night.
The only observation I have is that
the interior of the car does not have
all of the stuff in it that the car had
when I had stopped by the Rail Road crossing.
I have given this statement to the detectives
and it is the truth.

Det. [redacted] name [redacted] Smith

address [redacted]

phone [redacted]



JUN 88 '84 12:58PM CRIME SCENE
1255 Newbridge Road,
No. Bellmore, NY 11710
Tel: 516 573-8015
Fax: 516 573-8022

P.1

FORENSIC
EVIDENCE BUREAU,
CRIME SCENE
SEARCH SECTION

Fa

12.11.94 1030 hrs. - Det. Mitchell

To: Debbie Smith called command house
From: ad state she is not sure if she
Info: saw the automobile between
Re: 11/17 and 11/21 on between 11/10 and 11/14.
CC: She will attempt to put her dates and
activities in order he will call us
back.



024712

759

Exp. # 396-84

12/6/84

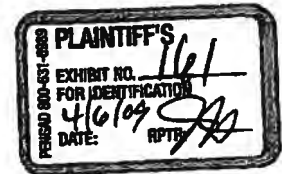
1848 hrs.

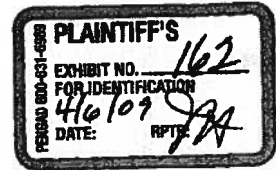
79-3227

Witness at 58 Burg. Malone N.Y. home
of John T. French. He stated that on
11/12/84, his 1971 Oldsmobile Del.
Reg. 5233 BJT N.Y., his car was
parked on S/W corner of Taborian
Ave. & Ocean Ave. It was stolen
sometime bet. 2130-2305 hrs. that
date.

On 11/18/84, Mr. French went
out looking around for his car.
He entered Taborian and he found
it parked on Woodfield Rd. near
the A.A. French. He then got his
keys & drove the car to Taborian
P.D. Prior to going to the P.D. his
sister Lori found a pair of blue
jeans with stripes. Blue
jeans were (inside-out). Jeans
were found on Rt. rear floorboard
halfway under Rt. passenger seat.

1971 OLDSMOBILE DELTA 88 Sedan/Gold
VIN. # 354391E163279
N.Y. REG. 5233-BJT N.Y.





Loss From John French's Auto

ROPE

TOOLS - WERE UNDER FRONT SEAT WRAPPED IN

PLASTIC CAMPING CASE.

CASSETTE TAPES, INSURANCE CARDS, COINS, BILLS

FLOOR MATS.

NOTHING WAS ON THE BACK SEAT OF THE

AUTO PRIOR TO THEFT OF VEHICLE.

RADIO WAS TAKEN FROM DASH - SANYO AM-FM

CASSETTE STEREO - TWO SPEAKERS FROM REAR
OF CAR.

WINDSHIELD WAS NOT BROKEN PRIOR TO THEFT

AT TIME OF THEFT FRENCH WAS

VISITING: MIKE BECHT

1 OCEAN AVE

~~500 1500~~

MALVERNS

PREPARED 12-11-84 BY DET. MITCHELL



Statement - Taken from John T. French. Taken 12-9-84
 My name is John T. French. I am 21 yrs. old born
 on 7-21-63. I live at 58 Broadway, MALLERNE, NY with
 my mother & 2 sisters. My home phone number is 599-3329.

Today Detective Sicummi - of the Homicide Sd. came
 present at my home where he showed me a length of rope
 and a brown felt pouch.

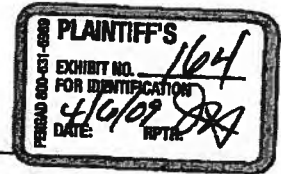
I have positively identified the rope & the pouch
 as mine. I had the length of rope in the back
 seat of my car, because I used it to tie down a bed
 that I had transported for my father. The felt pouch I
 use to keep change in.

For telling my story to Detective Sicummi - of the
 Homicide Sd. I have read & signed it and its the
 truth.

Witness Det. P. Sicummi
 M. 276.

x John French
 x 58 BROADWAY
 x MALLERNE, N.Y. 11565

NC002200



People who were in
John Terrell's car.

1. Dave Washington - is master of car. [REDACTED]
was with John. John left the car.

2. Michael Becht - [REDACTED]
[REDACTED] (John's one sister's son.
Above brother) - has blonde hair

3. Michael Allen - [REDACTED]
[REDACTED] was a Black investigator
Ble hair.

4. John Reol Jensen - [REDACTED]
[REDACTED] Black hair.
* Father is being searched fairly very upset
hold-off. Hair single.

2200

NC002200

NC002199

5. Maggie Scarpelli - [redacted]
 Lt # [redacted] changed hair color

6. Susan Kijce - [redacted]
 Lt # [redacted] light brown - blonde highlights

7. Jacob Donovan -
 Lt # [redacted] dark brown hair

8. Thomas Ghosee - [redacted]
 Lt # [redacted] light brown hair

9. Jennifer Cole - dark hair
 is Thomas Ghosee's girlfriend - got her address
 from Tom

Mother & Sister - moved Jennifer Cole from
 home - to - home

2199

NC002199

NC002202

Har. Singh. School - 12/27/04

Thomas Keena - [REDACTED]

Mel French - [REDACTED]

Loric French - [REDACTED]

Lisa French - [REDACTED]

Doug Wardington - [REDACTED]

John French - [REDACTED]

2202

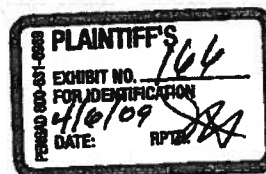
NC002202

NC002212

POLICE DEPARTMENT
COUNTY OF NASSAU, NEW YORKCASE REPORT
VEHICLE/BOAT RECOVERY REPORT☒ VEHICLE☐ BOATDISTRIBUTION
ORIGINAL - Command
COPY - Auto Squad

INSTRUCTIONS - The Command originating the Stolen Vehicle Report is responsible for the prompt and accurate preparation of Form 32C and notification to the owner.

ORIGINAL INCIDENT REPORT	CASE REPORT NO. 1084-84	DATE & TIME OF REPORT 11/11/84 2345	ALARM NO. 28357	DATE & TIME OF ALARM 11/11/84 0035
	D.D. NO.	DETECTIVE ASSIGNED DET. BOLLARD	CLASSIFICATION UNAUTHORIZED USE	
VEHICLE	PL. 165-05	BUDD.	DATE & TIME OF OCCURRENCE (THEFT) 11/10/84 2130 - 11/11/84 2305	
	REGISTRATION NO. 5233-BTN	STATE N.Y. <input type="checkbox"/> OTHER	YEAR 1971	MAKE OLDSMOBILE
VEHICLE	VEHICLE IDENTIFICATION NO. 354391E163279	MILEAGE 117,000	INS. CODE 24	VALUE 300.
	CAR VEHICLE/BOAT BE DRIVEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CONDITION OF VEHICLE <input type="checkbox"/> INTACT <input checked="" type="checkbox"/> ARSON <input checked="" type="checkbox"/> STRIPPED	IF VEHICLE STRIPPED <input type="checkbox"/> ENGINE <input type="checkbox"/> TRANSMISSION <input type="checkbox"/> ACCESSORIES <input type="checkbox"/> NOSE	PLATES RECOVERED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NONE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
VEHICLE	DATE & TIME OF RECOVERY 11/18/84 1645	RECOVERED BY: RANK OWNER	SERIAL NO.	CORNMAN
	RECOVERY INFORMATION RECEIVED FROM	<input type="checkbox"/> NCPS <input type="checkbox"/> NYSPD <input type="checkbox"/> SCPD <input type="checkbox"/> OTHER OWNER	<input type="checkbox"/> PCT.	VIA <input type="checkbox"/> TELEPHONE <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> TELETYPE <input type="checkbox"/> OTHER
VEHICLE	LOCATION OF RECOVERY WOODFIELD ROAD, SO. OF EAGLE AVE., WEST. HEMPSTADT.			
	OWNER NOTIFIED BY: NAME (OWNER FOUND CAR)	SERIAL NO.	DATE & TIME	PERSON NOTIFIED <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER (NAME)
VEHICLE	ALARM CANCELLED BY: NAME Sgt. L. SPRAGUE	SERIAL NO. 103	DATE & TIME 11/18/84	<input checked="" type="checkbox"/> VEHICLE AND PLATES <input type="checkbox"/> VEHICLE ONLY <input type="checkbox"/> PLATES ONLY
	DISPOSITION OF VEHICLE OWNER IN POSSESSION OF VEH.			
VEHICLE	IMPOUND/VOUCHER NO.			
	ARRESTS (NUMBER, NAME, DATE OF BIRTH)			
VEHICLE	ADDITIONAL DETAILS OR REMARKS			
	REG. PLATES 5233-BTN N.Y., BELONGING TO OWNER, WERE PUT ON A CAR OWNED BY DEBRA ANN DETARLO, [REDACTED] [REDACTED] HER PLATES, REG. [REDACTED] N.Y., WERE FOUND ON THE STOLEN VEHICLE. BOTH SETS OF PLATES HAVING BEEN EXCHANGED.			
VEHICLE	SIGNATURE DESK OFFICER Sgt. L. Sprague	SERIAL NO. 103	SIGNATURE PRECINCT SQUAD COMMANDING OFFICER	
	SIGNATURE DETECTIVE SUPERVISOR			



2212

NC002212

NC002213

PREPARE DNR ORIGINAL

POLICE DEPARTMENT, COUNTY OF NASSAU, N.Y.

FD-302 (REV. 1/79)

SUPPORTING DEPOSITION MOTOR VEHICLE, BOAT, AND REGISTRATION PLATES

AUTO SQUAD NO.	ALARM NO. <u>28357</u>	D.R. NO.	CALL REPORT NO. <u>1094-84</u>
----------------	---------------------------	----------	-----------------------------------

DEPONENT'S NAME

DEPONENT'S ADDRESS

DEPONENT'S PHONE

MOTOR VEHICLE

BOAT

I, JOHN T. FRENCH certify that I reside at
 [REDACTED] and that between,
 time 2:30 ☐ AM ☒ PM, Date 11-10, 1984 and time 2:05 ☐ AM ☒ PM, Date
11-10, 1984 a ☒ Motor Vehicle ☐ Boat ☐ Registration Plates,
 described below, in legal custody of ABOVE
 residing at _____

Home Tel. No. (AREA CODE) 516 [REDACTED]
 and owned by ABOVE residing at _____

Date of Birth [REDACTED], 19____ Home Tel. No. (AREA CODE) _____

Bus. Tel. No. (AREA CODE) 516 [REDACTED] and Occupation SUPERVISOR

was stolen from post no. 3 location SOUTH SIDE LAKEVIEW AVE
200 WEST OF OCEAN AVE LYNNBROOK NY

and I gave no one permission to take, operate, exercise control over, ride in or
 otherwise use the below mentioned ☒ Motor Vehicle ☐ Boat ☐ Registration Plates.

LICENSE PLATE NO. <u>5L338TN</u>	STATE <input checked="" type="checkbox"/> N.Y. <input type="checkbox"/> OTHER	EXPIR DATE <u>6-85</u>	TYPE	VIN NO. <u>354391E163279</u>	YEAR <u>71</u>
MAKE <u>OLDSM</u>	MODEL <u>DELTA 88</u>	STYLE <u>4050</u>	COLOR <u>GL/BLK TOP</u>	VALUE <u>400</u>	
LEAPON IN AUTO <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO OTHER IDENTIFYING FEATURES, DAMAGE, ETC. <u>HUNTING K'DIFE ABOVE PASSENGER DOOR</u>					

REGISTRATION NO.	STATE <input checked="" type="checkbox"/> N.Y. <input type="checkbox"/> OTHER	EXPIR DATE	OUTER HULL MATERIAL <input type="checkbox"/> WOOD <input type="checkbox"/> METAL	BOAT HULL NO.
PROVULSION <input type="checkbox"/> SAIL <input type="checkbox"/> IN <input type="checkbox"/> OUTDOORS <input type="checkbox"/> DOARDS	MAKE	TYPE OF BOAT	LENGTH	COLOR
NAME OF MOTOR	MODEL OF MOTOR	HORSE POWER	SERIAL NO.	OTHER IDENTIFYING FEATURES

The information contained in this instrument is true; I understand that any false statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York, except that any false statements made alleging the theft of a motor vehicle whose value is more than \$250.00 are punishable as a Class E Felony, pursuant to section 210.47 of the Penal Law of the State of New York.

VEHICLE LOCKED AND SECURE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	KEY IN VEHICLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SIGNATURE OF DEPONENT <u>John French</u>
DATE <u>11-10-84</u>	TIME <u>2:25</u>	PLACE <u>LAKEVIEW AVE OCEAN AVE LYNNBROOK</u>
WITNESSES <u>PO</u>	SUBJ <u>AL G R</u>	FILE NO. <u>100</u> COMMAND <u>481</u>

2213

NC002213

NC002214

POLICE DEPARTMENT
COUNTY OF NASSAU, NEW YORK

CASE NUMBER
FD-302 (Rev. 10/93)

1. CASE REPORT NO. 1284

2. DATE & TIME OF ALARM 11-1-84 0035

3. ALARM NO. 57

4. DATE & TIME OF ALARM 11-1-84 0035

5. ACCIDENT NO. 17-1

6. S.D. NO.

7. CLASSIFICATION
1. LAW SECTION 11. IF
SUBD. 12. IF
ATTACK 13. LOCAL INVESTIGATION
CHECKED 14. FOR

8. DATE & TIME OF OCCURRENCE
FROM 11-1-84 0035 TO 11-1-84 0035

9. PLACE OF OCCURRENCE: NO. 11. TOWN OF 12. POST 13. ZONE 14. P.O. OBSERVED
15. BUSINESS NAME 16. BUSINESS/RESIDENT TYPE 17. HOW REPORTED 18. VICTIM 19. P.O. OBSERVED
20. YES 21. NO 22. OTHER (SPECIFY)

23. VICTIM 24. LAST NAME 25. FIRST 26. ADDRESS: NO. STREET 27. APT. NO. 28. VILLAGE 29. ZIP CODE
30. DATE OF BIRTH 31. HOME PHONE 32. BUSINESS PHONE 33. AIDED NO. 34. ARREST NO. 35. APPEAR. TICKET NO.
36. OCCUPATION 37. EMPLOYED 38. UNEMPLOYED 39. RELATIONSHIP TO OFFENDER 40. NATURE OF INJURY 41. WHERE HOSPITALIZED
42. TYPE WEAPON, INSTRUMENT OR FORCE USED 43. PROHIBITIONARY WEAPON 44. DATE & TIME PRONOUNCED
45. EXPLOSIVE 46. GUN 47. STICK 48. OTHER

AT THE TIME OF THIS REPORT IS THERE ANY INFORMATION AVAILABLE RELATIVE TO THE FOLLOWING?

42. IS THERE A WITNESS TO THE CRIME? IF YES, PLACE AN X IN BOX 42 * AND COMPLETE SECTION 44 "CODES" 42

43. CAN A SUBJECT BE READILY IDENTIFIED (AS IN A LINE UP)? IF YES, PLACE AN X IN BOX 43 * AND COMPLETE SECTION 44 "CODES" 43

44. ENTER THE INFORMATION AND CODE(S) FOR PERSONS INVOLVED IN YOUR INVESTIGATION. B-REPORTING PERSON C-CANVASED
IF WITNESS A-ARRESTED I-CAN IDENTIFY SUBJECT I-PERSON WITH KNOWN ADDRESS X-NO INFORMATION PROVIDED N-NOT INTERVIEWED

CODE(S) PERSON INVOLVED/INTERVIEWED: LAST NAME FIRST ADDRESS NO. STREET APT. NO. VILLAGE
A, X 111-714

DATE OF BIRTH HOME PHONE BUSINESS PHONE AIDED NO. ARREST NO. APPEAR. TICKET NO.

CODE(S) PERSON INVOLVED/INTERVIEWED: LAST NAME FIRST ADDRESS NO. STREET APT. NO. VILLAGE
B 111-714

DATE OF BIRTH HOME PHONE BUSINESS PHONE AIDED NO. ARREST NO. APPEAR. TICKET NO.

CODE(S) PERSON INVOLVED/INTERVIEWED: LAST NAME FIRST ADDRESS NO. STREET APT. NO. VILLAGE
C 111-714

DATE OF BIRTH HOME PHONE BUSINESS PHONE AIDED NO. ARREST NO. APPEAR. TICKET NO.

45. CAN A SUBJECT BE NAMED AND/OR LOCATED? IF YES, PLACE AN X IN BOX 45 * AND COMPLETE 46 - 48. 45

46. NO. OF SUBJECTS 47. SUBJECT NO. 1 - NAME OR ALIAS 48. SUBJECT NO. 1 CAN BE LOCATED AT 49

49. CAN A SUBJECT BE PHYSICALLY DESCRIBED? IF YES, PLACE AN X IN BOX 49 * AND PREPARE FD-302 - PART C. 49

50. CAN A SUBJECT'S VEHICLE BE DESCRIBED OR IDENTIFIED? IF YES, PLACE AN X IN BOX 50 * AND COMPLETE LINE 51. 50

51. MAKE OF VEHICLE YEAR MAKE MODEL COLOR TOP/BOTTOM PLATE NO. STATE IDENTIFYING CHARACTERISTICS 52

52. COMPLETE PART A AND IF APPLICABLE FD-302 - PART B. IS THERE A DISTINCTIVE M.O. PRESENT? IF YES, PLACE AN X IN BOX 52.

M.O. INFORMATION - PART A (Check Every Box That Pertains)

TIME OF DAY	MODE OF ENTRY (Check 1)	MODE OF ENTRY (Cont)	SAFER
111. [] Daylight	141. [] Window	165. [] Pried	211. [] None
112. [] Darkness	142. [] Door - Wood	167. [] Picked	212. [] Carried Away
113. [] Unknown	143. [] Door - With	169. [] Unknown	213. [] Drilled or Punched
	144. [] Glass Window	169. [] Other	214. [] Explosive
WEATHER	145. [] Door - Screen	SECURITY	215. [] Pried
121. [] Clear	146. [] Door - Sliding glass	181. [] Interior Lights On	216. [] Torch
122. [] Cloudy	147. [] Roof - Skylight	182. [] Exterior Lights On	217. [] Rip or Pried
123. [] Rain	148. [] Through Roof	183. [] Bars or Grates	218. [] Miscellaneous
124. [] Fog	149. [] Through Wall	184. [] Dog	221. [] Rammed
125. [] Snow	150. [] Unknown	185. [] Employee Present	222. [] Malicious Damage Caused
126. [] Unknown	151. [] Other	186. [] Guard or Watchman	223. [] Premise Occupied
POINT OF ENTRY	152. [] Check 1	187. [] Security Fence	224. [] Premise adjacent to school
131. [] Front	161. [] Brake Glass	188. [] Alarm	225. [] Previous Occupancy
132. [] Rear	162. [] 2-ale Down	189. [] Photo or Camera	226. [] Suspicious Phone Calls
133. [] Left Side	163. [] Cut Open	191. [] None	227. [] prior to Surgery
134. [] Right Side	164. [] Left Open	192. [] Other	228. [] Other
135. [] Roof	165. [] Unlocked - Key		
136. [] Other			

53. IS THERE PHYSICAL EVIDENCE PRESENT? IF YES, PLACE AN X IN BOX 53 * AND DESCRIBE IN SECTION 53. 53

HAS EVIDENCE TECHNICIAN WORK BEEN [] PERFORMED? [] REQUESTED? IF YES, PLACE AN X IN BOX 54. 54

55. IS PROPERTY TRACEABLE? IF YES, PLACE AN X IN BOX 55 * AND COMPLETE SECTION 55. 55

DISTRIBUTION

White - Investigator

nr

Canary - Data Processing Unit

P

Inlet Files

2214

NC002214

Exhibit F

M I S S I N G

THERESA FUSCO

DESCRIPTION

HL 5'3"

Wt.104 lbs.

AGE 16

BROWN HAIR

BLUE EYES

DENIM JACKET

STRIPED BLUE JEANS

WHITE BALLOON SNEAKERS



**LAST SEEN NEAR "HOT SKATES", LYNBROOK, NEW YORK
IF YOU HAVE ANY INFORMATION CONCERNING THERESA
PLEASE CONTACT NASSAU COUNTY POLICE AT:**

(516) 535-7858

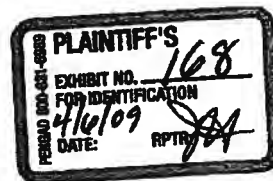


Exhibit G



(516) 525-7053

BRIAN O'HANLON 9/12/85
 234 [REDACTED] 1/11/82
 [REDACTED]

Probation Officer. JERARD COOK [REDACTED]

WIFE CHARLE (APPEL) 9/2/84

DAUGHTER DANIELLE 3 1/2 months old.

(FATHER) (MOTHER)
 HAROLD + LORRA O'HANLON - NONE

KATHLEEN (16) (SISTER) - NONE

KEVIN (22) BROTHER - NEWART NEWART

SALE EMPLOYED

E. Rockaway High School
 1981 Graduated G.E.D.

Married 12/11/84

Justice of Peace married
 3 P.M. at 1307 Azure Pl.
 New York Harbor Joe Cronin
 best man
 25 people present for about
 5 hours

Honey moon to Mauritius
 Venezuela etc. for week left
 on 1/12/85 8:00 AM
 (Chambers Lines)
 8 yrs ago at bus

Worked with him (Dennis) for awhile
 but Dennis didn't pay
 I made part of bank with Dennis



Dennis Tied with ^{Skellington} David &
J. Rialto <sup>Leaving check
prior to marriage</sup>

Dennis worked at Tackle Shop.
J. Rialto would always pull up.
5 years or so.

Natomi Tied with Halestead

Dennis used to party with
young girls.

?
not
sure
Dennis Told Brian ~~around~~
~~that~~ around 11/25 or 11/26
that "T" was at his (Dennis)
apartment a couple of days
prior to his disappearance.

Two weeks prior to his
marriage Brian was told by
Dennis that missing girl?
was in his apartment a day
or so prior to her disappearance.
Conversations

Lyn Brock Taxi driver then
about 11 years before on horse.
35 years driving works right
shift. Says Cheryl mentioned
that Halestead did it.

Brian returned H calls
(collect from jail)

Time
Vague

Dave Shellington Told Brian
That John Restivo Told
Some one "I did something
wrong, I Fucked up" John
was crying at this time.

~~March~~ March
at New JT Dennis asked
Brian if he wanted to make
big money, to knock somebody
off for him, he said who?
Dennis said "John Restivo,
he tried to implicate me
in a murder." What murder
Brian asked? "The murder of
The missing Lynbrook girl."

Phone calls from Jail
Carrie talked to
Brian
Carrie accepted charges
Brian wasn't home. Dennis
talked about his new son.
Told Carrie that "V" rather
had a contract on him. Said

That Tommy M^cBride was
after him. (No relation to Wade)

2nd day
9:30
later Brian accepted charges, talked
to Dennis. Asked for money
for commissary. Asked him
to get rid of Ramcharger
I do conversation about baby.
Was in protective custody in jail

3rd day
Said lawyer told him
that he is going to "walk"
Cops have nothing. That his
phone was tapped.

4th day
Refused charges told wife
to hang up.

↓
last time several weeks after arrest
"Lue" at 7-11 - Attasholwe-Lyn

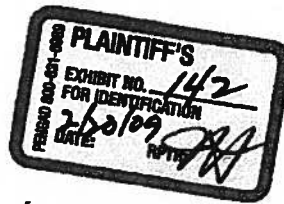
Before parked up. Dennis told him
phone tapped - apt bugged

2 weeks ago - cab - Elley & Thompson
Brooklyn - left from Kingsbrook Station
9:30 - 10:00 A.M.

After polygraph - 1930

Hermsen H. told him Kelly was
at his apt. 2 days prior her
disappearance

2 weeks at least
prior to getting married - walked to
Garvey Place to get money from John
R. Garvey work. John outside working
on rig. Blue van on lifts, John
stated spent money for checks
for blue van going to fix after
fixing rig.



9-12-85
2000 hrs.

Interview of Brian O'Hanlon

Myself and Det Wattman were present in the interview room of the Homicide Squad when the interview was conducted.

Brian indicated that Dennis Halstead told him about 3 days before he was arrested for the murder that "I know the apartment is bugged but I can't find the fucking thing" "I think the bug is in the lights" "I'll definitely walk on this thing".

Wattman told Brian to this conversation Halstead had told Brian "The cops are looking at me cause I had that missing girl in my apartment getting high" He told Brian that he had told the police this.

Brian went onto say that about a week after Halstead's arrest for murder he received a collect call from Halstead and that Halstead told him:

- ① "There's no way these mother fuckers are going to pin this on me" "I'll walk on all this"
- ② "You have to sell my truck because I need the money" Brian never sold the truck.
- ③ "They got me in isolation here in the jail cause a inmate by the name of M. Bide put a contract on me he killed that one."

B) A second call from Hallett to O'Hanlon took place about a week after the first. In that Hallett told O'Hanlon the following

a) Hallett, Restivo, Kogut were in Restivo's van

b) They saw the girl walking by Hat. Skatter and Hallett said to the girl (Eusea) "Do you want to party?" "I talked her into getting into the van. When she was in the van Dennis said he said to her "Are you going to do the right thing? (Have sex with them)." The fuck began to scream so Kogut hit her, we were all taking turns fucking her and we took her into the cemetery. I got her into the van and fucked her but man no way did I tell her. When we got her to the cemetery, she kept saying I'll tell." Restivo told them a "moving strap" to Kogut and Kogut killed her. Hallett said then we had to get rid of the body so we dumped it in the pit."

What precipitated this ~~one~~ conversation was. On the second call to O'Hanlon. O'Hanlon said to Hallett "What's your act in this thing I know they must have something on you. Then Hallett related his account